

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing

CHECK BOX, if applicable

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

☐ DUPLICATE

to:
Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

Attorney Docket No. 2001-0699

First Named Inventor Herman WALDMANN et al

Express Mail Label
No.

Total Pages

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d) (continued prosecution application (CPA)) of prior application number **09/125,460**, filed on **August 19, 1998**, entitled **ANTIBODY VARIANTS**.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 USC 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning the other application or applications in the file jacket.

35 USC 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 USC 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1. ☐ Enter the unentered amendment previously filed on under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:

b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.

5. ☐ Information Disclosure Statement (IDS) is enclosed:

a. ☐ PTO-1449

b. ☐ Copies of IDS Citations

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

10/16/2001 CNGUYEN 00000096 09125460

[Page 1 of 2]

01 FC:131
02 FC:122

740.00 OP
130.00 OP

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	20 - 20 =		0 x \$84 =	\$0.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	2 - 3 =		0 x \$84 =	\$0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$280 =	\$0.00
				BASIC FEE (37 CFR 1.16(a))	\$740.00
	Total of above Calculations =				\$740.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28):				\$
	TOTAL =				\$740.00

6. ☐ Small entity status:

- a. ☐ Small Entity Statement is hereby asserted.
b. ☐ Is no longer claimed.

7. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees to DepositAccount No. 23-0975.

- a. ☒ Fees required under 37 CFR 1.16.
b. ☒ Fees required under 37 CFR 1.17.
c. ☐ Fees required under 37 CFR 1.18.

8. ☒ A check in the amount of \$1,270.00 is enclosed.9. ☒ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of three months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.10. ☒ Return Receipt Postcard.11. ☒ Other: Preliminary Remarks and Petition for a two month Extension of Time are attached herewith.

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Labelor ☐ New correspondence address below

(Insert Customer No. or Attach bar code label here)

12. CORRESPONDENCE ADDRESS



000513

PATENT TRADEMARK OFFICE

By: Lee Chang
Registration No. 40,949

WENDEROTH, LIND & PONACK, L.L.P.
2033 "K" Street, N.W., Suite 800
Washington, D.C. 20006-1021
Phone: (202) 721-8200
Fax: (202) 721-8250

October 15, 2001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

: Attn: BOX CPA

Herman WALDMANN et al.

: Docket No. 2001-0699

Serial No. 09/125,460

: Group Art Unit 1644

Filed August 19, 1998

: Examiner P. Gambel

ANTIBODY VARIANTS

:

PATENT OFFICE FEE TRANSMITTAL FORM

Assistant Commissioner for Patents,
Washington, DC 20231

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Sir:

Attached hereto is a check in the amount of \$1,270.00 to cover Patent Office fees relating to filing the following attached papers:

Continued Prosecution Application (CPA) \$740.00

Petition for Extension of Time \$400.00

Petition for Suspension of Action \$130.00


A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Herman WALDMANN et al.

By


Lee Cheng
Registration No. 40,949 ✓
Attorney for Applicants

LC/gtn
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October 15, 2001

[Check No. 46967]

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